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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/582,120	06/22/2000	ROBERT LIEBL	P00,1291	7874

26161 7590 01/30/2003

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BOSTON, MA 02110

EXAMINER

NGUYEN, QUYNH H

ART UNIT	PAPER NUMBER
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2642

DATE MAILED: 01/30/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/582,120

Applicant(s)

LIEBL, ROBERT

Examiner

Quynh H Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 June 2000.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 18-34 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 18-34 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 3. 6) ☐ Other:

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 18, 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ewin (U.S. Patent 3,536,842).

Regarding claim 18, Ewin teaches information is recorded in the trunk history memory is used during route selection (col. 3, line 73 through col. 4, line 2). Furthermore, Ewin teaches determining is made from the information in the history trunk memory based on priority classification on whether access to the selected trunk route is permitted or denied (col. 4, lines 51-65 and col. 5, lines 14-23).

Ewin does not teach determining whether a connecting path to a requested destination node of the communication network is stored, if not, determine and store the connecting path in order to set up the determined connecting path to the requested destination node.

It would have been obvious to one of ordinary skill in the art at the time the invention was made that one can easily modify Ewin's system to determine if a connecting path to a requested destination node of the communication network is set up and stored.

Claim 20 is rejected for the same reasons discussed above with respect to claim 1.

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3. Claims 19, 27-29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ewin (U.S. Patent 3,536,842) in view of Kelly et al. (U.S. Patent 4,862,496).

Regarding claim 19, Ewin does not teach when the corresponding connecting path leads from an originating node of the communication network to the requested destination node and specific transmission properties for a data transmission to the destination node are met.

Kelly teaches routing strategies have been considered and each exchange is lined to the central processor and transmits data on availability to the central processor (col. 1, lines 23-43).

It would have been obvious to one of ordinary skill in the art at the time the invention was made determine specific transmission properties for a data transmission to the destination node are met before routing in order to avoid a call lost or overflows.

Regarding claim 27, Ewin does not teach a control unit in a switching equipment that forms a network node of the communication network. Kelly teach a central processor select the path and transmit data (col. 1, lines 23-38).

Regarding claims 28 and 29, Ewin teaches trunk history memory with recorded information in the memory is used during route selection, and many types of storage devices ("first, second, and third memory") capable of storing information (col. 3, line 73 through col. 4, line 2 and lines 51-65). Ewin does not mention a control unit and line unit.

Kelly teaches a central processor ("control unit") for determining a suitable connecting path (col. 1, lines 23-43).

It would have been obvious to one of ordinary skill in the art at the time the invention was made that there is at least a line unit in a switch in order to configure an analog telephone lines or digital circuit to configure digital telephone lines.

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4. Claims 21-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ewin (U.S. Patent 3,536,842) in view of Ash et al. (U.S. Patent 4,669,113).

Regarding claims 21-24, Ewin does not teach only a specific and maximum plurality of determined connecting paths are stored longest and used least.

Ash suggests updating the routing sequence ("connecting path") is achieved by evaluating the least loaded path for each potential connection (Abstract, lines 1-17) reads on claimed invention.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to develop routing algorithms in determining connecting path in order to minimize potential blocking in the network.

Regarding claims 25 and 26, Ewin does not teach determining a connecting path to the requested destination node depends on the number of counted overflow cases and a specific time span.

Ash teaches overflow counts are accumulated to develop traffic measures (col. 7, lines 10-18).

5. Claims 30-34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ewin (U.S. Patent 3,536,842) in view of Kelly et al. (U.S. Patent 4,862,496) and further in view of Ash et al. (U.S. Patent 4,669,113).

Claims 30-32 are rejected for the same reasons discussed above with respect to claims 21-23.

Claims 33-34 are rejected for the same reasons discussed above with respect to claims 25-26.

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Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Stademann (U.S. Patent 6,389,128) teaches routing method.

7. Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:

(703) 308-6306, (for formal communications intended for entry, please label the response "EXPEDITED PROCEDURE")

or: (703) 308-6296, (for informal or draft communication, please label "PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Quynh H. Nguyen whose telephone number is 703-305-5451. The examiner can normally be reached on Monday - Thursday from 6:30 A.M. to 5:00 P.M.

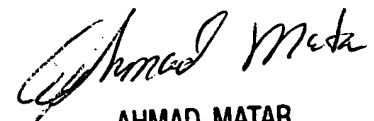
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad Matar, can be reached on (703) 305-4731. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9314.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-4700.

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qhn

Quynh H. Nguyen
January 14, 2003


AHMAD MATAR
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600